

ANDRÉ BIROTTE JR.  
 United States Attorney  
 ROBERT E. DUGDALE  
 Assistant United States Attorney  
 Chief, Criminal Division  
 STEVEN R. WELK  
 Assistant United States Attorney  
 Chief, Asset Forfeiture Section  
 P. GREG PARHAM  
 Assistant United States Attorney  
 California Bar Number 140310  
 U.S. Courthouse, 14th Floor  
 312 North Spring Street  
 Los Angeles, California 90012  
 Telephone: (213) 894-6528  
 Facsimile: (213) 894-7177  
 E-mail: Greg.Parham@usdoj.gov

Attorneys for Plaintiff  
 United States of America

UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 WESTERN DIVISION

UNITED STATES OF AMERICA,	)	CV 07-00107 SJO(AJWx)
	)	
Plaintiff,	)	<b>CONSENT JUDGMENT OF FORFEITURE</b>
	)	<b>AS TO CLAIMANT ROBERT TRINGHAM</b>
vs.	)	<b>ONLY</b>
	)	<b>[This consent judgment is not</b>
\$35,000.00 IN U.S. FUNDS AND	)	<b>case-dispositive but does</b>
\$765.85 IN ACCRUED INTEREST,	)	<b>resolve the claims of one</b>
	)	<b>claimant.]</b>
Defendants.	)	
	)	
	)	
	)	

This action was filed on January 4, 2007. Plaintiff seeks the forfeiture of the defendants \$35,000.00 in U.S. funds and \$765.85 in accrued interest (hereinafter "defendant funds"). Notice was given and published in accordance with law. Robert

1 Tringham ("Tringham")<sup>1</sup> was formerly the president and owner of  
2 First National Ban Corp. ("FNBC"), a corporate entity which  
3 filed a claim and answer on August 7, 2007 and August 9, 2007,  
4 respectively. On or about January 13, 2012, Robb Evans &  
5 Associates LLC ("Robb Evans"), the receiver of Finbar Securities  
6 Corp. ("Finbar")<sup>2</sup> filed a claim and answer to the complaint  
7 because FNBC was believed to be a subsidiary or affiliate of  
8 Finbar. On or about March 8, 2012, an Amended Complaint was  
9 filed pursuant to stipulation. No other claims or answers have  
10 been filed, and the time for filing claims and answers has  
11 expired. Plaintiff and Tringham have reached an agreement that  
12 is conditionally dispositive of the government's claims against  
13 Tringham's interest in this action, and hereby request that the  
14 Court enter this Consent Judgment of Forfeiture.

15 Pursuant to this agreement, the government will recommend  
16 to the United States Attorney General that any forfeited  
17 defendant funds be made available for distribution on a pro rata  
18 basis to any victim and/or investor in various investment  
19 programs established by Tringham, as part of the restoration  
20 and/or remission process commonly utilized by the Department of  
21

---

22 <sup>1</sup> Although not a claimant in this action, Tringham is a party to  
23 this agreement by virtue of any ownership interest he may have  
24 in First National Ban Corp.

25 <sup>2</sup> The Receiver was appointed pursuant to the Preliminary  
26 Injunction and Judgment of Permanent Injunction issued in the  
27 case of Securities and Exchange Commission v. Finbar Securities  
28 Corp. and Robert Tringham, et al., filed in the U.S. District  
Court for the Central District of California, CV 09-2325  
ODW(VBKx). Pursuant to that litigation, the Receiver was  
appointed as receiver over Finbar and its affiliates and  
subsidiaries. FNBC is believed to be one such affiliate and/or  
subsidiary of Finbar.

1 Justice, Asset Forfeiture Money Laundering Section, in cases  
2 involving the seizure and forfeiture of proceeds of fraud  
3 crimes. The government will further recommend that Tringham be  
4 given credit toward his criminal restitution obligation for any  
5 restoration and/or remission paid by the Department of Justice  
6 to any victim listed in Tringham's criminal restitution order as  
7 entered in United States v. Robert Tringham, CR 09-00490 SJO.

8 This agreement is conditioned upon Tringham's criminal  
9 conviction in United States v. Robert Tringham, CR 09-00490 SJO,  
10 being upheld on appeal. If such conviction is affirmed on  
11 appeal, this agreement shall become final. If such conviction  
12 is reversed on appeal or otherwise vacated, this agreement shall  
13 be void and the government shall be entitled to resume its  
14 forfeiture action as to Tringham's interests in the defendant  
15 assets and Tringham shall be entitled to resume his defense of  
16 any claim to the defendant funds.

17 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

18 1. This Court has jurisdiction over the parties and the  
19 subject matter of this action.

20 2. Notice of this action has been given in accordance  
21 with law. All potential claimants to the defendant funds other  
22 than Tringham, claimant Robb Evans and claimant FNBC are deemed  
23 to have admitted the allegations of the Amended Complaint. The  
24 allegations set out in the Amended Complaint are sufficient to  
25 establish a basis for forfeiture.

26 3. The sole claimants to the defendant funds are FNBC and  
27 Robb Evans. Tringham, individually and as owner of FNBC, has  
28 the legal right to abandon, withdraw any claim, and consent to

1 the forfeiture or other appropriate disposition of all or any  
2 portion of his individual interest in the defendant funds.

3 4. Tringham hereby withdraws any claim to the defendant  
4 funds, plus any accrued interest on the defendant funds.  
5 Accordingly, Tringham's interest in the defendant funds, plus  
6 any accrued interest on the defendant funds, shall be disposed  
7 of in accordance with law at the conclusion of this litigation  
8 without further notice to Tringham.

9 5. Tringham hereby releases the United States of America,  
10 its agencies, agents, officers and attorneys, including  
11 employees and agents of the Internal Revenue Service, from any  
12 and all claims, actions or liabilities arising out of or related  
13 to the seizure of the defendant funds and the commencement of  
14 this action, including, without limitation, any claim for  
15 attorney's fees, costs or interest which may be asserted on  
16 behalf of Tringham, whether pursuant to 28 U.S.C. § 2465 or  
17 otherwise.

18 6. The court finds that there was reasonable cause for  
19 the seizure of the defendant funds and institution of these  
20 proceedings. This judgment shall be construed as a certificate  
21 of reasonable cause pursuant to 28 U.S.C. § 2465.

22 7. The parties shall each bear their own costs and  
23 attorneys' fees in this action.

24 ///

25 ///

26 ///

27 ///

28 ///

5. James Otis

THE HONORABLE S. JAMES OTERO  
UNITED STATES DISTRICT JUDGE

DATED: September 14, 2012

/s/ P. Greg Parham  
P. GREG PARHAM  
 Assistant United States Attorney  
 Attorneys for Plaintiff  
 United States of America

DATED: September 14, 2012

/s/ Mark A. Byrne  
 MARK A. BYRNE  
 Attorneys for Robert Tringham

DATED: September 14, 2012